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July 19, 2022

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Nuria Fernandez
Administrator
Federal Transit Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Amit Bose
Administrator
Federal Railroad Administration
U.S. Department of Transportation
1200 New Jersey Avenue
Washington, DC 20590

Dear Administrators Fernandez and Bose:

I write to express serious concerns about the Penn Station Expansion in midtown Manhattan which will soon enter into a National Environmental Policy Act (NEPA) review. While it is clear that Pennsylvania Station (Penn Station), the busiest transit hub in the western hemisphere, is in need of improvements and an expansion of its subterranean infrastructure, the expansion project has aroused confusion and concern among many of the area residents, businesses, and community organizations, and gives me strong reservations about the current plans for the project. As the federal government and the agencies you lead prepare to conduct the NEPA review for the Penn Station Expansion, I share residents' and stakeholders' concerns about how the review will be conducted and whether serious and feasible alternatives that are less destructive of the area's urban environment have been given adequate, and public, consideration.

Community residents in Penn Station's immediate vicinity have expressed opposition to many elements of the Penn Station expansion since it was announced by former New York Governor Andrew Cuomo. First among these is an astonishing lack of transparency surrounding virtually every aspect of this project. An entire block of mid-Manhattan, "Block 780," stands to be razed to the ground, and residents, businesses and community services will be forced to

relocate elsewhere in the city or move away or shutter their doors altogether. These individuals and entities will have a right to return; however, this might not be realized for 15 years, or indeed ever, as there are currently no mechanisms to ensure that the towers proposed for private development on the site will ever be built. Many fear that Amtrak and other entities are sacrificing their homes and livelihoods without having devoted sufficient consideration to possible, less destructive alternatives entailing fewer or no evictions and condemnations, and certainly without having provided sufficient community notification or opportunity for meaningful consultation and input.

Such alternative considerations include providing a full accounting and explanation for the apparent decision to forgo the option of boring under existing structures located on Block 780. This option would allow some, if not all, of the current above-ground structures to remain intact. During the , 2021, Community Advisory Committee Working Group meeting, convened by the New York State Empire Development Corp. (ESD), planners advised that, “Engineering analysis to date suggests that the Penn Expansion cannot be built by boring under the existing buildings due to the relatively shallow depth that is necessary for the tracks to match up with the existing Penn tracks; however, the Railroads will continue to refine their engineering assumptions during the Planning phase, and this will be further analyzed in the NEPA process.”¹ This engineering analysis should be completed in an open, transparent manner, with any expansion southward of Penn Station’s infrastructure thoroughly and publicly providing a thorough and clear explanation as to why less destructive and disruptive options (that would not entail the complete destruction of all buildings on Block 780) are unworkable.

ESD has told the Penn Station Community Advisory Committee Group many times that the Station’s Expansion is not included within the Proposed General Project Plan (GPP) itself, but, rather, that the potential buildings that will be erected atop the Expansion do constitute part of the GPP. With that in mind, before supporting the Expansion proposal, I seek full assurances from Amtrak, New Jersey Transit, the Metropolitan Transportation Authority, and all relevant federal agencies that all feasible alternatives are evaluated without consideration to the current speculative funding mechanism before supporting the project.

It is my understanding that the Railroads are considering a “through-running” option as one of the alternatives to the preferred plan – an alternative strongly supported by many residents, transit experts, and other community stakeholders who have contacted me or my office. Members of the public, local elected officials, and community leaders deserve to see the data on which these critical decisions are being made, and to ensure that reasonable alternative plans are also considered in an objective and open-minded way, not merely as token “straw horses” to be dismissed in favor of centralized planners’ pre-conceived favored proposal. The Council for Environmental Qualities (CEQ) “A Citizen’s Guide to NEPA” states, “Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.”² The Railroads have an obligation to make sure that these alternatives are all thoroughly explored and that their findings are shared with the community.

The same guide states, “Some of the most constructive and beneficial interaction between the public and an agency occurs when citizens identify or develop reasonable alternatives that the agency can evaluate in the EIS.”³ This is precisely what many of the citizen stakeholders have done in relation to the Penn Station expansion project. These area residents and community stakeholders are asking that you take their proposals for a “through-running” alternative and a southward expansion that does not require demolition and evaluate them fairly and thoroughly.

Furthermore, I ask you to perform a full financial evaluation and cost-benefit analysis of “through-running” as part of the NEPA review, to determine cost as well as savings such upgrades would permit, not only for the hard cost of the project, but also for the economic impact to the region.

I urge your agencies to take these concerns and proposals in careful consideration when conducting the NEPA review, consistent with all applicable rules and regulations, especially regarding the assessment of reasonable and less destructive alternatives.

At this critical moment, I am requesting that you meet with me, as well as community stakeholders, to discuss our path to Penn Station capacity expansion.

Sincerely,



Carolyn B. Maloney
MEMBER OF CONGRESS

cc: Secretary Pete Buttigieg, U.S. Department of Transportation
Stephen Gardner, CEO, Amtrak (National Railroad Passenger Corporation)

¹ Empire Station Community Advisory Committee Working Group, “Meeting Minutes Week 3: Gateway”(Unpublished minutes, May 11, 2021),6, https://reinventalbany.org/wp-content/uploads/2021/11/ESC-CACWG-Weekly-MinutesFollowup_Q_A_Wk3_051121-1.pdf

² “A Citizen's Guide to NEPA: Having Your Voice Heard,” A Citizen's Guide to NEPA: Having Your Voice Heard § (2021), <https://www.energy.gov/sites/default/files/2021/01/f82/ceq-citizens-guide-to-nepa-2021.pdf>, 13.

³ Ibid.